

Minutes
Otay Ranch Preserve Owner Manager Policy Committee Meeting
County Administration Center, Room 302/303
1600 Pacific Highway, San Diego, CA 92101

Friday, October 5, 2007
2:00 p.m. to 4:00 p.m.

Approved by the POM Policy Committee on 01/23/08.
Motion to approve by Deputy Mayor Jerry Rindone.
Motion seconded by Supervisor Greg Cox.
Motion Carried 2/0.

ATTENDEES:

City of Chula Vista

Jerry Rindone, Deputy Mayor
Scott Tulloch, Assistant City Manager
Marisa Lundstedt, Principal Planner
Leah Browder, Engineering Deputy Director
Tessa Quicho, Administrative Analyst II
Merce LeClaire, Senior Management Analyst
Josie McNeeley, Associate Planner

County of San Diego

Greg Cox, 1st District Supervisor
Michael De La Rosa, District 1, Policy Advisor
Chandra Wallar, Deputy County Administrative Officer, Land Use & Environment Group
Vince Nicoletti, Staff Officer, Land Use & Environment Group
Renée Bahl, Director Dept. of Parks and Recreation
Trish Boaz, Chief, Dept. of Parks and Recreation, Resource Management Division
Maeve Hanley, Group Program Manager, Dept. of Parks and Recreation, Resource Management Division
Cheryl Goddard, Environmental Planner, Dept. of Parks and Recreation, Resource Management Division
Larry Duke, District Park Manager, Dept. of Parks and Recreation, Operations Division
Tom Oberbauer, Chief, Dept. of Planning and Land Use, Multiple Species Conservation Program Division
Dahvia Lynch, Group Program Manager, Dept. of Planning and Land Use, Multiple Species Conservation Program Division
Claudia Anzures, County Counsel
Mitra Abidi, Student Worker, Dept. of Planning and Land Use, Multiple Species Conservation Program Division
Polina Osipova, Student Worker, Dept. of Planning and Land Use, Multiple Species Conservation Program Division

ATTENDEES (con't):

Public:

Tom Tomlinson, McMillin Companies
Rikki Schroeder, RMA Consultants representing McMillin Companies
Ranie Hunter, Otay Ranch Company
Rob Cameron, Otay Ranch Company
Gail Crocenzi, Otay Ranch Company
Curt Noland, Otay Land Company
Barbara Metz, Metz Public Relations
Mark Doderer, Recon Environmental
Jill Terp, U.S. Fish and Wildlife Service

1. **Call To Order:** Supervisor Greg COX and Deputy Mayor Jerry RINDONE
Call to Order at 2:27pm by Supervisor Cox
2. **Approval of Meeting Minutes**
RINDONE moved to approve the meeting minutes.
Motion seconded by COX. Motion carried.
3. **Public Comment on items not related to Agenda**
COX opened the floor for public comments. Hearing none, Public Comment period was closed.
4. **General Plan Amendment – Elimination of Conveyance Plan (Lynch)**
[Power Point Slide 3 & 4]
Dahvia LYNCH reported that the General Plan Amendment proposing to eliminate the Otay Ranch Conveyance Plan was scheduled to be heard by the County Planning Commission today, October 5, 2007.

Ms. LYNCH informed the Policy Committee that at its October 5th meeting, County Planning Commissioner Michael Beck moved to continue the item until November 2, 2007 in order to allow more time to review the project documentation. Motion was seconded by Planning Commissioner Leon Brooks. The motion carried.

It is anticipated that this item will be heard by the County Board of Supervisors in early December 2007.
5. **Irrevocable Offer of Dedication (IOD)/Land Conveyance Status (Lynch, Lundstedt, & Hanley)**

[Power Point Slide 5]
Maeve HANLEY stated that to date, the Otay Ranch Preserve Owner/Manager (POM) has accepted 517 acres. Currently, there are approximately 1,600 acres in different stages of the IOD process. As requested by the Preserve Management Team at its June 12, 2007 meeting, a checklist was developed and has been completed for each

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outstanding IOD and fee title conveyance. These updated checklists were provided as handouts in the order as they appeared on the agenda. Ms. HANLEY proceeded to provide an update on these outstanding IODs and fee title conveyances as follows:

5.a Pending

i. Otay Project LP/Otay Ranch Company (7 – 857.18 acres)

1. [Slide 6 & 7] Wolf Canyon (30.06 acres) – IOD Vacation.

HANLEY reported that the development of Village 2 in Otay Ranch necessitated the 1) vacation of the IODs conveyed as part of the Village 1 project; and 2) replacement of those IODs with new IODs. There was a request by the developer on 08-27-07 to acknowledge the replacement IODs. These replacement IODS have not yet been acknowledged. The POM staff will need to review these IODs to ensure conformance with the most recent POM decisions primarily the substitution and future infrastructure language.

2. [Slide 8 & 9] Proctor Valley Segment (772.90 acres)

HANLEY stated the IODS for the Proctor Valley Segment are currently on-hold pending final project design of Village 13. The POM staff will need to review these IODs to ensure conformance with the most recent POM decisions. On September 17, 2007, County staff had a field visit to the site.

LYNCH reported that County staff provided the applicant, Otay Ranch Company, with comments to their submittal in early September. The applicant is currently addressing those comments.

3. [Slide 10] 1999 Board Action (266.36 acres)

HANLEY stated that the fee title conveyances for the 266.36 acres were required pursuant to the Board of Supervisors action to approve a request by the City of Chula Vista to use a portion of the County's Coastal Sage Scrub Allotment under Board Policy I-122 to enable the construction of Olympic Parkway to serve Otay Ranch Village 1. The Title reports and Phase 1 Site Assessments were received by POM staff in August 2007. These documents are being reviewed by County POM staff and Real Estate Services' staff. POM staff will work with the developer to schedule a site assessment visit.

4. [Slide 11 & 12] Village 2

In addition to the replacement IODs referred to earlier, there was a request by the developer on 8-27-07 to acknowledge three additional IODs related to the Village 2 project that was approved by the Chula Vista City Council on September 18, 2007. These IODs are located in the Wolf Canyon and Proctor Valley areas of Otay Ranch. The POM staff will need to review these IODs to ensure conformance with the most recent POM decisions.

ii. **Brookfield-Shea**

1. **[Slide 13] 3 – 148.87 acres**

HANLEY stated that there are three IODs related to Village 11, located in the Salt Creek area of Otay Ranch. All three IODs have been acknowledged by the County and the City. The POM will need to review two of these IODs (September 15, 2004 and March 2, 2006) to ensure conformance with the most recent POM decisions.

One IOD dated November 29, 2006, has been accepted by the County but not the City. POM staff is reviewing the Phase 1 report submitted by Brookfield Shea on September 25, 2007 which covers all three IOD areas. The title reports are outstanding.

COX asked if RINDONE had any questions thus far in the presentation.

RINDONE responded that he had none at this time and that he had additional briefings scheduled regarding IODs in Salt Creek later this week.

COX summarized the status of the pending IODs by stating that POM staff was working to get them accepted by the POM.

Marisa LUNDSTEDT provided new information that Brookfield Shea has submitted the title reports for the Salt Creek IODs to the City of Chula Vista Engineering Department and that she would forward these reports to County staff.

COX asked if the acceptance of IOD procedures had been modified so that POM staff can accept the IODs.

Renée BAHL answered yes for the County.

COX asked if the City of Chula Vista POM staff could also accept IODs.

LUNDSTEDT also answered yes.

6. **Financing**

[Slide 14] LUNDSTEDT reported that the City of Chula Vista established Community Facility District (CFD) 97-2 entitled Preserve Maintenance District for the Otay Ranch Preserve. The CFD was established for the purpose of maintaining areas which have been conveyed to the POM. CFD 97-2 has been collecting funds since the completion of Specific Planning Area (SPA) One.

LUNDSTEDT stated that the City of Chula Vista worked on the estimated 2007-2008 POM budget. They estimate the POM budget for 2007-2008 to be \$300,000. They are excited because this is the first year that they were able to set aside money for new fencing in areas that had reported trespassing.

LUNDSTEDT reported that the Chula Vista City Council adopted the resolution for the POM budget on July 17, 2007. It is at its maximum tax activity and has increased to an average of \$43 annual contribution per household. The tax bills were mailed out October 1st. The first installment is due on November 1st and the second on February 1st. The fund balance as of June 30th was \$284,044.

COX asked if the POM Policy Committee needed to take action on the 2007-2008 budget.

LUNDSTEDT replied no and that this was only an informational item for the Policy Committee.

COX asked if the POM budget ran on a fiscal calendar from July 1st to June 30th. LUNDSTEDT replied yes.

RINDONE asked for clarification on the estimated budget of \$300,000 for 2007-2008 and the 2007-2008 projected expenditures shown on the handout. The 2007-2008 projected expenditures total \$305,000. Would the POM already be in deficit from the start?

LUNDSTEDT introduced Leah BROWDER, Engineering Deputy Director for the City of Chula Vista, who would discuss the handouts.

BROWDER explained that there were two handouts. One is entitled Estimated POM Budget for FY 07-08. This estimated the budget for 2007-2008 to be \$300,000. The second handout is entitled CFD 97-2 projections dated August 10, 2007. This is a 7-year budget projection for the POM. The second handout had hypothetical numbers for biological monitoring costs. These were estimated costs, not the final exact numbers. Additionally, the second handout projected the average per parcel assessment to be \$35.

RINDONE then clarified that the second handout projected the average per parcel assessment to be \$35 but that the actual assessment is \$43 per parcel.

COX asked if this was the budget approved by the City Council.

BROWDER responded yes. She also clarified that the average assessment is \$43 per parcel.

COX stated that there have been illegal dumping issues within the Otay Valley Regional Park and that fencing would be helpful in detouring these activities. Is there a way to keep illegal dumping from occurring in the lands that have been conveyed to the POM?

BAHL stated that Larry Duke, County District Park Manager, was present and that illegal dumping was not an issue on the 517 acres that have been conveyed to the POM. The land is currently being monitored and fencing will be placed as needed.

LUNDSTEDT added that the land owner is required to provide a management report on the land condition before the POM will accept any land. Additionally, POM staff will also conduct a site visit before acceptance of an IOD.

7. [Slide 15] Land Management (Duke & Hanley)

a. Status of Long-Term Implementation Plan

HANLEY reported that this plan is due for completion this fall.

b. POM managed

HANLEY reported that issues with off-road vehicles use are being dealt with along Wueste Road by the installation of gates, fencing, and signage. Regular patrol and stewardship of the existing preserve area is currently occurring.

c. Privately managed (prior to conveyance)

HANLEY reported that POM staff received a letter report in August relating to the management and monitoring of the land owned by Otay Ranch Company which included two reports relating to Wolf Canyon maritime succulent scrub and Otay tarplant restoration efforts. These reports are currently being reviewed.

COX asked if there were any questions regarding this portion of the presentation.

Rikki SCHROEDER asked for additional clarification of when the Long-term Implementation Plan is to be completed.

HANLEY responded that the Plan is to be completed and implemented next year. A draft copy will be released for a 30-day public review period and hosted on the Department of Planning and Land Use Otay Ranch website.

SCHROEDER asked when the draft copy would be released.

HANLEY responded that a draft copy is anticipated to be released this fall.

8. [Slide 16 & 17] Management of non-Otay Ranch Preserve Lands

HANLEY reported that a number of developers who dedicated lands within the Otay Ranch Preserve for mitigation of non-Otay Ranch projects have requested that the POM staff manage these lands as part of the Otay Ranch POM structure. Currently, developers have the option to ask Chula Vista, County or private entity to manage these lands; however it may be beneficial to have one manager that provides consistent management of the preserve lands. Discussions were held at the August 10th Preserve Management Team meeting which subsequently held a special meeting to on September 11th to specifically discuss this topic and came up with these potential criteria.

HANLEY stated that the POM staff recommends developing a process that would facilitate this management option, specifically the financing mechanisms.

COX asked for clarification of Slide 16 which listed potential criteria for management of non-Otay Ranch Preserve lands. Specifically, COX asked for clarification on item #4 which listed the following potential criteria: land contiguous to other future or currently dedicated Otay Ranch Preserve lands and located within the Otay Ranch Preserve.

Scott TULLOCH stated that the Preserve Management Team requested that these criteria be added at the last Preserve Management Team meeting. The intention is to build blocks of the Preserve. Having the land contiguous to other future or currently dedicated Otay Ranch Preserve lands would help to accomplish the blocks of habitat.

RINDONE asked if there is a procedure in place to accept lands that are not contiguous but beneficial to the Preserve.

LUNDSTEDT replied that for the City of Chula Vista the short answer is yes. The criteria presented here today are draft. Additional criteria can be added at the direction of the POM Policy Committee.

RINDONE requested that land not contiguous but beneficial to the goals and objectives of the Preserve be added to the list of criteria currently under review.

Chandra WALLAR replied that the POM Policy Committee can decide to expand the boundaries of the Preserve or the land owner could request that the County manage the land. A side agreement with the County would be required.

RINDONE stated that he did not want a bifurcated management system. However he felt it is important to have a system or process in place to allow non-contiguous land to be considered for management by the POM.

WALLAR explained that a side agreement may be preferred in circumstances where the County and the City of Chula Vista don't agree or if management of the land requires an expeditious agreement. Expanding the Preserve boundaries includes a public review process and would take time to complete and implement.

RINDONE again stated that he did not want a bifurcated system.

LUNDSTEDT reiterated that the criteria listed today are draft. They are the building block concepts. POM staff can refine the criteria and bring it back for review at the next POM Policy Committee meeting.

RINDONE asked for clarification of Slide 16, specifically on item # 5 which listed adequate access as a potential criterion. RINDONE asked for a definition of "adequate" access.

LUNDSTEDT replied that this criterion relates to item #4 which was just discussed. It is preferred that IODs be contiguous to other future or currently dedicated Preserve lands so that the land can be accessed by the POM for full management of the land.

RINDONE asked if this meant having to cross other properties.

LUNDSTEDT replied that in some cases, yes. Rights of entry are included in the IOD language.

RINDONE stated that he was OK with the recommendation but that more explanation for each criterion was needed.

BAHL clarified that adequate access referred to both legal and physical access. Additionally, BAHM stated that the recommendation is just for the process to draft a program for the management of non-Otay Ranch mitigation lands. POM staff will draft the process and include specific language regarding financing. The draft plan will be brought before the Policy Committee for their review.

COX moved to approve the recommendation with the modification that Deputy Mayor RINDONE'S concern regarding non-contiguous lands that are beneficial to the Preserve be considered in the criteria to determine if the POM should manage non-Otay Ranch mitigation lands.

Motion seconded by RINDONE. Motion carried.

COX asked if there were any questions or comments regarding this portion of the meeting.

Tom TOMLINSON stated that he supported the motion but would like to see the process expedited and asked when this program would be available.

COX requested that staff schedule the next Policy Committee meeting in January 2008.

BAHL replied that a draft program would be ready by then. BAHM'S secretary will coordinate with COX and RINDONE to schedule the next meeting.

9. [Slide 18] Restoration Activities Update (Otay Ranch Company)

Rob CAMERON introduced Mark DODERO, RECON biologist, working on the MSS and Otay tarplant restoration efforts in Wolf Canyon to make a presentation on the restoration efforts they are conducting at Otay Ranch.

DODERO presented a Power Point presentation on the MSS and Otay tarplant restoration efforts. The area where the Otay tarplant was restored was originally dominated by non-native grasslands. It was previously a grazing area with wild oats dominating the land. His staff prepared the site by cutting weedy thatch down to

decrease competition for the native grassland. They were even able to salvage bunch grass (purple needle grass) that was moved to Wolf Canyon. The success of this restoration project is closely tied to the amount of rain received in the County. Over the last 7 years, the restoration of Otay tarplant has shown success and exceeded all expectations.

DODERO stated that the area where MSS was restored was also dominated by non-native weeds. There were lots of cattle trails present on the site. MSS was also moved to manufactured slopes. Listed and sensitive animals now occupy these MSS restoration areas. Cactus wren also nest in the restored area. This is the first and only created habitat where they have observed successful nesting.

COX stated that this is tremendous success and that the good news should be shared with more media outlets. Additionally, restoration efforts in Wolf Canyon and within the Preserve should be partnered with schools to teach students a sense of stewardship.

DODERO stated that they currently are working with non-profit organizations. They recently donated plants for the Cross-border planting day.

COX stated that it is very important for kids to be involved with direct experiences relating to open space stewardship.

RINDONE stated that he was very impressed with the success of the restoration efforts.

CAMERON stated that we should be collectively proud of the restoration outcomes.

10. [Slide 19] Meeting Schedule

COX stated that the Policy Committee meeting is to meet again in January. Those who have signed-in and provided an email or mailing address will be notified of the next meeting date.

COX requested that at the next Policy Committee meeting, maps be provided showing acknowledged and accepted IODS, restoration sites, and the Otay Valley Regional Park. This will help orient everyone in what is being discussed.

11. Adjournment

Meeting was adjourned by COX at 3:26pm.